

## **LAND USE AND ZONING COMMITTEE**

*February 21, 2008*

The Land Use and Zoning Committee hereby find and determine that all formal actions were taken in an open meeting and that all deliberations of the Land Use and Zoning Committee, which resulted in formal action, were taken in a meeting open to the general public, in full compliance with applicable legal requirements of Section 121.22 of the Ohio Revised Code.

The meeting was called to order at 7:00 p.m.

The following members were present: Messrs. Bodnar, Hazel, Hullihen, Morse, Terriaco, and Messes. Ross and Diak. Staff: David Radachy

There was one case:

### **Case #1, Concord Township Text Change to Sections V and XVII:**

Staff explained that the change was to definitions section and the multi-family section. River Oaks Home builders is asking to allow detached units in the multi-family district. The applicant provided a definition for dwelling, multi-family detached and proposed regulations showing the dwelling, multi-family detached as permitted use and provide a minimum distance between units.

Staff stated that the definition being added is the same definition as the Dwelling single family with the addition of "or common area located in the R-3 District and meeting the minimum setbacks.

**DWELLING, DETACHED SINGLE FAMILY:** A building consisting of a single dwelling unit only, designed to be used exclusively for occupancy by one (1) family and separated from other dwelling units by open space.

Staff stated that there is no reference in the definition that detached single family dwelling has to be fee simple. He also said that there was another definition for detached single family dwellings in the R-2 PUD section. He read the following definition:

**R-2 DETACHED SINGLE FAMILY DWELLING:** A building consisting of a single dwelling unit only, with no common building elements attached to any other dwelling unit.

Staff stated the R-2 definition has been interpreted to include both fee simple (house on a lot) and Condominium (Land owned in common).

Staff recommends that the change not be made. This is not a definition for multi-family and the current definition of single family could be interpreted to mean both fee simple or condominium. The committee stated that they agreed with staff. The proposed definition did not make any sense.

Staff recommended not to acceptance of Detached Multi-Family as permitted use. This is multi-family district, not single family district. When you design for one family in structure, then it is single family not multi-family.

The applicant is not amending section 17.09, minimum dwelling unit area nor is he amending section 17.03 Lot Area and 17.04 Density. This developer and any other developer of other R-3 land would be able to build an one bedroom, 800 sf building, or a two bedroom, 1000 sf units. The density would be 8 units per acre, which is much higher than the 1.98 units allowed in R-1.

The committee felt that there would be too many detached units in these types of developments.

Staff stated if the definitions and the dwelling, detached multi-family units as permitted use are not accepted, they design standards are mute point.

Mr. Hullihen recommended the text be accepted with staff's recommendation of not making the change  
Mr. Hazel seconded the motion.

All voted "Aye".  
Motion passed.

Meeting ended at 7:15 P.M.